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12-811

OCT 1 1 2013

US District Court Office of The Clerk October 8, 2013 AT 8:30 _____M WILLIAM T. WALSH CLERK

Dear William Walsh

Appeal of Citizens Protection Act of 1998

Thank you for your letter of September 19, 2013

As you might know, the Citizens Protection Act of 1998 was passed by Congress to stop the abuse by prosecutors who are more interested in their political careers that in the Supreme Court case of Berger v. United States:

Berger v. United States, 295 US 78, 88 (1935) overruled on other grounds, Stirone v. United States, 361 U.S. 212 (1960)(The United States attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor-indeed, he should do so. But while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.

As you might be aware, the prosecutor in this case has changed his tune numerous times to try to find a way to win this case. Instead of seeking justice, he is seeking a conviction. It was my duty to file a complaint under the Citizens Protection Act of 1998 so all parties would be aware we have a runaway prosecutor.

I provided a copy of that complaint to the court to notify the court that the US core Attorney has a direct conflict of interestance place and a particular appropriate and appropriate appropriate and appropriate approp

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I would appreciate if you would file that on the record.

Thank you for your time and consideration.

David Moleski

CERTIFICATE OF SERVICE

On this the Sty day of October, 2013, a true and correct copy was served on Clerk of US District Court and US Attorney Tino Lisella, by first class mail, postage prepaid.

David Moleski

David Moleski
O 1121 S Military Tr #276
O Deerfield Beach, FL 33442
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